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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/632,803	08/04/2003	John H. Wurster	01-VE22.40C1	7425
32127 VERIZON PATENT MANAGEMENT GROUP 1515 N. COURTHOUSE ROAD, SUITE 500 ARLINGTON, VA 22201-2909	7590 01/04/2008		EXAMINER AL AUBAIDI, RASHA S	
			ART UNIT 2614	PAPER NUMBER
			NOTIFICATION DATE 01/04/2008	DELIVERY MODE ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

patents@VERIZON.COM

## Office Action Summary

Application No.

10/632,803

Applicant(s)

WURSTER ET AL.

Examiner

Rasha S. AL-Aubaidi

Art Unit

2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 17 October 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-10, 12, 13, 15, 16 and 18-26 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10, 12-13, 15-16 and 18-26 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_.

**DETAILED ACTION**

***Response to Amendment***

1. Applicant's amendment filed on 10/17/2006 has been entered. No Claims have been amended. No further claims have been canceled. No claims have been added. Claims 1-21-10, 12-13, 15-16 and 18-25 are pending in this application, with claims 1, 10, 18, and 20 being independent.

***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-10, 12-13, 15-16 and 18-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pepper et al (5,930,700) in view of Patsiokas et al. (US PAT # 4,941,203).

Regarding claims 1, 5, 7-8 and 20, Pepper teaches recognizing a condition (this reads on alerting the subscriber that there is a pending call, see col. 6, lines 42-46); initiating a first call including transmitting a call set-up message (this reads on the caller identification information that is sent to the called party, see col. 6, lines 12-22) indicating a special calling party number (this reads on the

caller ID for calling party, i.e., calling party telephone number, see col. 6, lines 12-17 and/or calling party PIN, see col. 12, lines 60-63); detecting an AIN trigger when said call reaches a point in the telecommunications network (this reads on the arrival of an incoming call , which is detected at the TNI 304, which alerts the service control module 306 when the call has been received, see col. 6, lines 12-15). The limitations "Transmitting a query message to a control point in the telecommunications network, said query message including said special calling party number; receiving said query message at said control point" are inherent in Pepper system since all the details record regarding the call must be stored in the database, (see col. 9, lines 58-65). Pepper also teaches storing in response to said special calling party number an indicator of said condition in response to receiving said special calling party number (see col. 9, lines 58-65).

Pepper does not specifically teach the limitation of "initiating a call in response to recognizing a condition".

However, Patsiokas teaches if a call has been received (this also reads on recognizing the condition) the remote unit is alerted and the voice communication is established (reads on the response after recognizing the condition) (see col. 7, lines 39-43).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the feature of establishing a call

in response to recognizing the alert for the incoming call, as taught by, Patsiokas into the Pepper system in order to provide sufficient time to answer a call.

Claims 2, 4, 10 and 18 are rejected for the same reasons as discussed above with respect to claim 1. Also the limitation of “updating said indicator of said condition in response to receiving said other special calling party number” as recited in claims 2 and 4 simply reads on receiving another call from another calling party and repeating the method of claim 1. For “setting a flag” as recited in claim 8, this basically reads on the notification that is provided to the subscriber via pop-up window 1100 as seen in Fig. 11 at the arrival of a new message (see col. 6, lines 55-54). The claimed “plurality of SSPs” and “a database storing call processing records” reads on the elements in prior art Figs. 1 and 3-4. The claimed database reads on SCP 105 in fig. 4. For claim 10, the claimed “private operations data network” reads on communication network 102 in Fig. 5.

Regarding claims 3 and 19, Pepper teaches said special party numbers are different invalid calling party number (this basically reads on the calling party entering unidentified number, see col. 6, lines 17-24).

Claim 6 recites “said step of detecting an AIN trigger is performed at a terminating switch serving a subscriber telephone line”. This limitation is inherent within AIN.

Regarding claim 9, Pepper does not specifically teach transmitting a disconnect request. However, it teaches that a message will be sent from the calling party to the called party and this message can have any kind of contents (see col. 9, lines 61-65 and col. 10, lines 28-35). The limitation basically reads on the calling party sending a request to the called party asking him/her to disconnect from the line if he/she is currently engaged in a call conversation for example. Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have the calling party sending a disconnect request message to the called party to inform him/her (called party) that the he/she (calling party) would like to talk to him/her (calling party) at the moment. Advantages of such limitations are well known in the art such as speaking to the called party in the event of an emergency (i.e., a parent trying to reach a child at home who is either speaking on the phone with friend or engaged in on-line session).

Claims 12-13 are rejected for the same reasons as discussed above with respect to claims 1, 3, and 7-8 respectively.

Regarding claim 15, Pepper teaches local switches points (SSP 118 in Fig. 4) serving one subscriber (see Fig. 4).

Claim 16 recites "a database comprises a service control point connected to said private operation data network", (see element 506 or 508 within TNI 304 which can be located within SCP 105 that is connected to communication network 102 as shown in Fig. 5, see also col. 7, lines 14-17).

Claims 22 and 25 recite a TCAP message transmitting between the SSP and the SCP. The use of TCAP message is inherent within AIN. Communication messages between SSP and an SCP are also inherent.

Claim 23 recites "processing in a response to said indicator, a subsequent second call initiated to the same telephone number as said first call". This basically reads on receiving another call and this is inherent in the system. Inherently a system receives more than one call.

Claim 26 is rejected for the same reasons as discussed above with respect to claim 23.

Regarding claims 21 and 24, the use of an ISDN user part message would have been obvious in Pepper since Pepper teaches in the Fig. 1 prior art the use of an ISDN. Thus, the use of ISUP would have been obvious in an ISDN environment.

***Response to Arguments***

4. Applicant's arguments have been fully considered but they are not persuasive.

For claim 26, the Examiner would like to indicate apology for the unintentional error of not addressing claim 26. Claim 26 is carries the similar limitations that recited in claim 23. Thus, claim 26 is now rejected for the same reasons as claim 23.

Regarding Applicant's argument that recites "Pepper merely describes a database that stores various information, such as a date book, phone book and pending messages but does not describe storing an indicator of said condition", the Examiner respectfully disagrees. Clearly Pepper teaches con col. 9, lines 58-65 that in subscriber's data a message can be pending in addition to an indication for this message. The claimed feature of "storing an indicator of said condition" can read on marking the message urgent.

Applicant argues that "modification would render the Pepper device inoperative". The Examiner respectfully disagrees because on one hand, Pepper is directed to a system and method that help the subscriber how to handle an incoming call. On the other hand, Patsiokas teaches alerting a remote unit in the event of an incoming call (see col. 7, lines 39-43). Thus, obviously it would be more beneficial to alert a subscriber (the same manner disclosed in Patsiokas) in



the Pepper's system of an incoming call in order to provide the subscriber with the option of preparing him to accept and answer the call (which can be considered as another option) if the customer decided not to allow the call to be transferred to a voice message. Thus, The Examiner's does not believe that the modification would render the Pepper device inoperative as alleged by the Applicant.

Applicant also argues that "there is no call set-up message indicating a first special calling party number disclosed by either Pepper or Patsiokas". However the Examiner respectfully disagrees because Pepper specifically teaches a priority of the call (see col. 3, line 27) and the priority of the caller (see col. 3, lines 4-7), which actually reads on the claimed "first special calling party number". The claimed "call set-up message" reads on the caller ID for the calling party as already discussed in the above rejection.

For Applicant's argument regarding claim 10, the use of server is almost inherent in systems like Pepper and Patsiokas. It is noted that Applicant is arguing limitations such as "setting a service status flag" that are already addressed in the above rejection.

Applicant's believes that other Applicant arguments are already met and addressed in the in the above rejection.

***Conclusion***

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rasha S AL-Aubaidi whose telephone number is (571) 272-7481. The examiner can normally be reached on Monday-Friday from 8:30 am to 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad F. Matar, can be reached on (571) 272-7488.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through

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A handwritten signature in black ink, appearing to read 'Rasha S. Al-Aubaidi', with a horizontal line drawn through it.

**RASHA S. AL-AUBAIDI**  
**PRIMARY EXAMINER**

**Art Unit 2614**  
**12/23/2007**